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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,985	02/13/2002	Gote Karlsson	34354	6871
116	7590	06/04/2004	EXAMINER	
PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108			RODRIGUEZ, RUTH C	
			ART UNIT	PAPER NUMBER
			3677	

DATE MAILED: 06/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/074,985	KARLSSON, GOTE	
<b>Examiner</b>	<b>Art Unit</b>		
Ruth C Rodriguez	3677		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1)  Responsive to communication(s) filed on 11 March 2004.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4)  Claim(s) 10-16 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 10-16 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 13 February 2002 is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date .

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .

5)  Notice of Informal Patent Application (PTO-152)

6)  Other: \_\_\_\_ .

## **DETAILED ACTION**

### ***Continuation***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11 March 2004 has been entered.

### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the second axis that is along an axle located at the holder must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the

art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 12, 14 and 16 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claims 12, 14 and 16 recite limitations directed to the relationship between the device and the tool. However, the drawings and the specifications only recited that the device is attached to the tool but it does not provide any details on how the connection between the device and tool is made. Therefore, all the claims reciting the tool in combination with the device are considered indefinite because the disclosure fails to provide any information that will enable one of ordinary skill in the art to be able to make the invention as claimed.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 11 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The second axis of the device disclosed by the current application does not have an axle.

**Claim Rejections - 35 USC § 102**

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 10, 11 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Baker et al. (US 6,612,597 B2).

A device attaches a handle (29) to a holder (4). The device comprises a lower part (2), an upper part (1) and a screw (joins 1 and 2). The lower part is operatively connected to the holder at one end portion to pivot with the handle about a second axis (through 8) relative to the holder such that the handle is revolved about the second axis (Figs.1-3 and 7). The lower part has a semicylindrical groove at another end portion that accommodates the handle at the first axis (located between 1 and 2) (Figs. 1-3 and 7). The upper part is located adjacent to the other end portion of the lower part and cooperating with the other end portion to keep the handle in the groove of the lower part (Fig. 7). The screw extends between the upper part and the lower part and operatively secures the handle at a selected position subsequent to rotation on the first axis (C. 3, L. 59-61).

The first axis is located along an axle (8) located at the holder (Figs. 1-3 and 7).

The device has an arm (3) at the lower part that extends toward the holder at one end (Figs. 1-3 and 7). The arm pivots about second axis and the handle is located at another end of the arm such that the handle moves in arc about the second axis for revolution movement of the handle (Figs. 1-3 and 7).

9. Claims 10, 11,13 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Kojima et al. (US 6,584,872 B1).

A device (12 or 212) attaches a handle (72a,72b or 214) to a holder (20 or 220). The device comprises a lower part (lower part of 42a,42b or 240), an upper part (upper part of 42a,42b or 252) and a screw (50a,50b or 250). The lower part is operatively connected to the holder at one end portion to pivot with the handle about a second axis (through bores 46a,46b or between 240 and 252) relative to the holder such that the handle is revolved about the second axis (Figs.1-7). The lower part has a semicylindrical groove at another end portion that accommodates the handle at the first axis (through 24) (Figs. 1-7). The upper part is located adjacent to the other end portion of the lower part and cooperating with the other end portion to keep the handle in the groove of the lower part (Figs. 1-7). The screw extends between the upper part and the lower part and operatively secures the handle at a selected position subsequent to rotation on the first axis (Figs. 1-7).

The first axis is located along an axle (24) located at the holder (Figs. 1-3 and 7).

The device has an arm (34) at the lower part that extends toward the holder at one end (Figs. 1-7). The arm pivots about second axis and the handle is located at another end of the arm such that the handle moves in arc about the second axis for revolution movement of the handle (Figs. 1-7).

The device has two arms (34) at the lower part that extend toward the holder at a first end, an axle (24) that is located between the first end of the arm and the axle is located on the first axis (Figs. 1-7). The handle is located at second ends of the arms

such that the handle moves in arc about the second axis for revolution movement of the handle (Figs. 1-7).

***Response to Arguments***

10. Applicant's arguments with respect to claims 11-16 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Lawrence (US 2,697,457), Heermann and Wehle (US 3,581,832), Belliston (US 4,145,810), Hoff (US 4,226,021), Kolodziejczyk (US 4,359,822), Karlsson et al. (US D 333,954), Dobrovolny (US 5,899,627), Nagashima (US 6,056,668), Lawrence (US 6,240,644 B1), Shaw (US 2002/0094234 A1) and Warashina et al. (US 2002/0104193 A1) are cited to show state of the art with respect to a device for attaching a handle with some of the feature of the current application or closely related.

Cosgrave (US 6,105,985), Farrally-Plourde (US 6,736,414 B2), Yamabe (US 2004/0066019 A1) and Jungnickel (US 2004/0075227 A1) are cited to show state of the art with respect to devices attaching a holder to a handle.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth C Rodriguez whose telephone number is (703) 308-1881. The examiner can normally be reached on M-F 07:15 - 15:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (703) 306-4115.

Submissions of your responses by facsimile transmission are encouraged. Technology center 3600's facsimile number for before and after final communications is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Ruth C. Rodriguez  
Patent Examiner  
Art Unit 3677

*RCR*  
rcr

June 1, 2004



ROBERT J. SANDY  
PRIMARY EXAMINER